Secrt. II-27—45,806—19-10-39.

Education (1941) Department.

78 SERIES.

G.O. No. 76-P.H.

Dated 7-1-1941

[Despatch Abstract.]

Building Rules - Mangalore Municipality - Sri K.Kanthappa Exemption - Granted.

C.F. 30.

DEPARTMENT.

Received ..... 19 . *Registered* 19

Subject.

Building Rules - Madras District Municipalities Act - Rule 24 - Waiver -- Requested.

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ENCLOSURES.
No. 3
Spare copies

Ref:C4 No. 10655/39

Station Mangalore, *Dated the* 10th December 19 40.

From (Name) S. M. Narayana Shenoy, B.A., B.L.
(Designation) Commissioner, Mangalore Municipality, Mangalore.

To The Secretary to the Government of Madras,
Education & Public Health Department.
Fort St. George,
M a d r a s.

Through
The Vice-Chairman,
Municipal Council, Mangalore,
& The Director of Town Planning, Madras.

Sir,

I am to bring the following case where the Municipal Council has recommended the relaxation of the building rules and request Government may be pleased to permit the same in the light of the reasons given and allow the issue of licence to the party.

Licence for the extension of a building in T.S.No. 84/1A1 of 12th ward was refused to one Sri K. Kanthappa as there is no 10 ft of vacant space at the rear

p 21 ml file

of the building. The party thereupon filed an appeal to the Council and the latter referred it to a Committee. The Committee recommended that licence for the extension of the building be granted on certain conditions recommend-ed by the Committee in its report. A copy of the report of the Committee is enclosed. The Council in its Resolution No.73 dated the 15th November 1940 has recommended that Rule 24(1) of the building rules be waived as a special case and licence be granted. A copy of the resolution of the Council is also enclosed.

The conditions laid down by the Committee have been duly carried out by the party. The room shown in the plans as "kitchen" has been demolished and a bigger window has been provided in the place of an old small one. The rooms reconstructed by the party are being used as "Store room" and "bathroom". Taking this fact into consideration and also the fact that the reconstructed portion existed before I request that Government may be pleased to condone the action of the party and waive Rule 24 (1) of the Building Rules and permit the issue of license to the party.

Commissioner, M.M.

Forwarded:

10th December 1940. Vice-Chairman, M.C.

DIR OF TOWN PLANNING
CWO562

HDU:11/12/40

D.T.P. Ltr No 334/40
19.12.40

Compd:-- 12.12.40

Town Planning Department

Forwarded.

In the special circumstances reported by the Commr: the Govt: may exempt the reconstruction of building made by the party from the operation of Rule 24(1) of the Building Rules. (The building will not however be eligible under the new draft rules issued in G.O.No.1856 P.W.D. 4-5-40.)

Asstt. D.T.P.

No. .....

Extract from the Proceedings of the Mangalore Municipal Council at its meeting held on 15th November *1940.*

19 DEC 1940

Resolution No. 73

52064

Read: Council resolution No,31 dated the 19th December 1939 on the appeal preferred by Sri K. Kanthappa against the orders of the Commissioner refusing licence for the extension of the building T.S.No.84/1A1 of 12th ward and G.O.No. Ms. 4657 P.H., dated the 4th October 1940 advising the council to modify the above resolution as one of recommendation to Government for the grant of exemption from the operation of Rule 24(1) of the Building Rules.

The Council recommends to Government for the grant of exemption from the operation of Rule 24(1) of the building rules in respect of extension of building in T.S.No. 84/1A1 of 12th ward.

x x x

Sd/ L.C.Pais,
Vice-Chairman,M.C.

/ True Extract /

Municipal Office, Mangalore,)
Dated the 10th December 1940.)

Commissioner, M.M.

HDU: 11/12

12.12.40.

licence may be granted without insisting on the 10 ft rule, which otherwise becomes obligatory in as much as there has been a reconstruction of the original bath-shed as also a new construction of the kitchen.

Sd/ U.P.Mallya

sd/ N.Upendra Pai.

Municipal Councillors.

/ True Copy /

Municipal Office, Mangalore,)
Dated the 10th December 1940.) Commissioner, M.M.

HDU:11/12

Appeal petition of Sri K.Kanthappa
owner of T.S.No. 82-1A1 of Ward No.12.

With reference to the above, referred to us, we inspected the locality together and report the following points regarding the same.

1. The building has been completed without the necessary license according to the plan submitted by the applicant.

2. The area now occupied by the present bath-room and "store room" was originally used as a bath-room only, the present partition wall being only a few feet high before.

3. What has been marked as a kitchen in the plan is not being used as such, but serves as a passage room to the "store room". This is a new construction on a vacant area before, that served to separate the original bath-room from the main building, and this new construction has un-doubtedly vitiated the ventilation of the whole building.

We recommend the license be granted and 10 ft rule not insisted on if the following improvements are made.

1. Demolish the passage room named as kitchen room in the plan, and thus keep the space vacant.

2. The "store room" marked as store room be improved by providing bigger windows in the place of small windows now existing and be used only as store room for we have no doubt that at present it is being used as a dwelling room. If this is agreed to by the party

C.F. 16.

DRAFT FOR APPROVAL.

39
7/1
Date. Initials.

SUBJECT:— E. & P.H. (F) Deptt

Building Rules - Mangalore Municipality - Sri K. Kanthappa - Exemption - Granted.

When received for fair copying ..		85
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READ AGAIN ....., dated ..... 19.....

" " ..... " ..... 19.....

READ *ALSO*:—

C No. 52064/40 From the Commr. Mangalore mlty, No. C4-10655/39 dated 10/12/1940

" ..... " D.T.P. " 3341/40 " 19/12/1940

" ..... " ..... " ..... " ..... 19.....

Order ~~Resolution~~ ~~Memt.~~ Ms. No. 76 P.H, dated 7—1—1941

Under rule 108A of the building rules issued in G.O 1621 P.H dated 30-7-1932 as subsequently amended, H.E. the Governor of Madras is hereby pleased to exempt, in the special circumstances stated by the Commr., the extension of Sri K. Kanthappa in T.S. No 84/1A1 of 12th Ward from the operation of rule 24(1) of the building rules.

with ml. file

To The Commr. Mangalore mlty thro: C.M.C. with ml file rcd kept below

D.T.P.

23/41

60

6.1